

### **Amendment to the Claims**

This listing of claims will replace all prior versions, and listings, of claims in the application:

### **Listing of Claims**

Claims 1-25 (cancelled).

26. (Original) A composition, comprising a pharmacologically active dose of a bacterium of the genus *Dietzia*, an active fragment thereof, a protein secreted therefrom, or combinations thereof, such that the pharmacologically active dose is capable of reducing or preventing the symptoms of a disease or syndrome whose causative agent is a mycobacterium.

27. (withdrawn) A method of treating a disease or syndrome whose causative agent is a mycobacterium by administering to a mammal the composition of claim 26.

28. (withdrawn) The method of claim 27, wherein the mammal is a bovine.

29. (withdrawn) The method of claim 27, wherein the method comprises oral administration of the composition.

30. (cancelled).

31. (Previously Presented) The composition of claim 26 where said bacterium is deposited with the American Type Culture Collection as Accession Number PTA-4125.

32. (Previously Presented) The composition of claim 26, further comprising an animal feed.

33. (Previously Presented) The composition of claim 32, wherein the animal feed is

selected from the group consisting of grain, hay, straw, silage, cornstalks, corn, corn meal, corn glutenmeal, soybean meal, soy flour, soybean mill feed, cottonseed hulls, oats, barley, hominy, cereal brans, rice mill by-product and mixtures thereof.

34. (Previously Presented) The composition of claim 26, further comprising a feed additive.

35. (Previously Presented) The composition of claim 34, wherein the feed additive is selected from the group consisting of vitamins, minerals, protein supplements, drugs, and mixtures thereof.

36. (Previously Presented) The composition of claim 26, wherein the composition is incorporated into a dosage form selected from the group consisting of tablets, drenches, boluses, and capsules.

37. (Previously Presented) The composition of claim 26, wherein the composition is incorporated into a tablet and further wherein the tablet further comprises a base, a disintegrator, an absorbent, a binder and a lubricant.

38. (Previously Presented) The composition of claim 26 where the pharmacologically active dose comprises an active fragment of a bacterium of the genus *Dietzia*.

39. (Previously Presented) The composition of claim 26 where the pharmacologically active dose comprises a protein of the genus *Dietzia*.

40. (Previously Presented) The composition of claim 26 where the pharmacologically active dose comprises combinations of a bacterium of the genus *Dietzia*, an active fragment thereof, or a protein secreted therefrom.

41. (New). The composition of claim 26 where said bacterium is an isolated bacterium deposited with the American Type Culture Collection as Accession Number PTA-4125.

42. (New). The composition of claim 41 further comprising an animal feed.

43. (New). The composition of claim 42 where the animal feed is selected from the group consisting of grain, hay, straw, silage, cornstalks, corn, corn meal, corn glutenmeal, soybean meal, soy flour, soybean mill feed, cottonseed hulls, oats, barley, hominy, cereal brans, rice mill by-product and mixtures thereof.

44. (New). The composition of claim 41 further comprising a feed additive.